

FORM PTO-1390 (Modified) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE (REV 5-93)		ATTORNEY'S DOCKET NUMBER <b>082734-0113</b>
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) <b>Unassigned 10/516640</b>
INTERNATIONAL APPLICATION NO. PCT/US03/17540	INTERNATIONAL FILING DATE 6/3/2003	PRIORITY DATE CLAIMED 6/3/2002
TITLE OF INVENTION NOVEL BACTERIUM FOR TREATMENT OF DISEASE		
APPLICANT(S) FOR DO/EO/US Robert E. CLICK		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li><input type="checkbox"/> has been communicated by the International Bureau.</li> <li><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</li> </ul> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ul style="list-style-type: none"> <li><input type="checkbox"/> is attached hereto.</li> <li><input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ul> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> <li><input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).</li> <li><input type="checkbox"/> have been communicated by the International Bureau.</li> <li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li><input checked="" type="checkbox"/> have not been made and will not be made.</li> </ul> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>		
Items 11 to 20 below concern other document(s) or information included:		
<ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input type="checkbox"/> A preliminary amendment.</li> <li>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input type="checkbox"/> Other items or information: OTHER</li> </ol>		

O. (If known, see 37 CFR 1.401) Unassigned		INTERNATIONAL APPLICATION NO. PCT/US03/17540		ATTORNEY'S DOCKET NUMBER 082734-0112	
21. <input checked="" type="checkbox"/> The following fees are submitted:				CALCULATIONS	PTO USE ONLY
<b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):</b>					
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO.....\$1,110.00					
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO.....\$950.00					
No international preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$790.00					
International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4).....\$750.00					
International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4).....\$100.00					
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				\$ 790.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e))				\$ 0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total Claims	30 - 20 =	10	x \$ 18.00	\$ 180.00	
Independent Claims	6 - 3 =	3	x \$ 88.00	\$ 264.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$ 300.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 1234.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				+	\$ 617.00
<b>SUBTOTAL =</b>				\$ 617.00	
Processing fee of 130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
<b>TOTAL NATIONAL FEE =</b>				\$ 617.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). 40.00 per property				\$	
<b>TOTAL FEES ENCLOSED =</b>				\$ 617.00	
				<b>Amount to be refunded:</b>	
				<b>charged:</b>	
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$ 617.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. <u>50-2350</u> in the amount of 617 to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-2350</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charge to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.</p> <p><b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b></p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>Foley &amp; Lardner LLP Customer Number: 23524</p>					
				SIGNATURE	
				Mark A. Kassel	
				NAME	
				38,200	
				REGISTRATION NUMBER	

10/516640

DT15 Rec'd PCT/PTO 01 DEC 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
AS THE INTERNATIONAL RECEIVING OFFICE  
UNDER THE PATENT COOPERATION TREATY

In re: Int'l Appl. No.: PCT/US03/17540

Applicant: Robert E. CLICK

Int'l Filing Date: 3 June 2003

Earliest Claimed Priority Date: 3 June 2002

Title: **NOVEL BACTERIUM FOR TREATMENT OF DISEASE**

Docket No.: 082734-0113

Mail Stop PCT  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

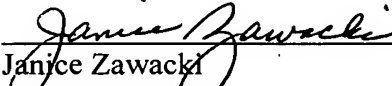
"Express Mail" Mailing Label No.: EV 423971906 US  
Date of Deposit: 1 December 2004

I hereby certify that these attached documents

- \* Transmittal Sheet to the US Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. § 371 (duplicate)
- \* Application Data Sheet (3 pages)
- \* Executed Declaration and Power of Attorney (3 pages)
- \* Copy of Published PCT Application (23 pages)
- \* Check (No. 34407) for \$617.00
- \* Return Postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.

Enclosed for filing please find the above-referenced provisional patent application. Please indicate receipt of this provisional patent application by returning the attached postcard with the official Patent and Trademark Office receipt stamped thereon.

  
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